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JUN 2 5 2005

Technology Center 2100

In re Application of: VALENTE
Application No. 09/330,274
Filed: June 11, 1999
For: HIERARCHICAL OPEN SECURITY
INFORMATION DELEGATION AND
ACQUISITION

DECISION ON PETITION
UNDER 37 CFR § 1.181 TO
WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the petition under 37 CFR § 1.181 to withdraw the holding of abandonment of the above-identified application filed 14 March 2005.

The petition is **DISMISSED**.

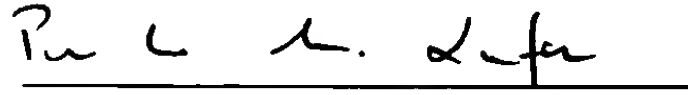
The application was held abandoned for failure to timely file a proper reply to the Office letter mailed on 20 December 2002. A Notice of Abandonment was mailed 16 December 2003. The Notice of Abandonment indicated that replies were received on 21 March 2003 and 16 September 2003 but that these did not constitute a proper reply or a bona fide attempt at a proper reply.

The petition to withdraw the holding of abandonment argues that a response was filed by facsimile transmission on 15 August 2003 and a Power of Attorney/Change of Correspondence Address was filed by facsimile transmission on 09 September 2003 but that these were not received by the Office. The application file includes a response filed by applicants via facsimile transmission on 16 September 2003 and a Power of Attorney/Change of Correspondence Address also filed by facsimile transmission on 16 September 2003. Presumably, this is the response and the Power of Attorney/Change of Correspondence Address referred to by petitioner but petitioner has the dates confused. Additionally, it is quite clear from the Notice of Abandonment mailed 16 December 2003 that both of the correspondences referred to above were received by the Office. First, the correspondence address is the correspondence address indicated in the Power of Attorney/Change of Correspondence Address filed 16 September 2003. Second, box number 7 of the Notice of Abandonment expressly refers to the amendment filed 16 September 2003 and discusses in detail the first independent claim proposed in that amendment.

Accordingly, the petition is **DISMISSED**.

Application SN 09/330,274
Decision on Petition

This application is being forwarded to the Office of Petitions for consideration of the "PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)".



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